

\*\*E-filed\*\*

September 13, 2005

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ISMART INTERNATIONAL  
LIMITED,

Plaintiff,

v.

I-DOCSECURE, LLC, ET AL.,

Defendants.

NO. 5:04-cv-3114 RMW (RS)

**ORDER GRANTING WHITE AND  
CASE'S MOTION TO BE  
RELIEVED AS COUNSEL OF  
RECORD**

The law firm of White & Case LLP seeks to withdraw as counsel of record for plaintiff and counterdefendant iSmart International Ltd. ("ISI") in the above-entitled action. Defendants do not oppose the motion to withdraw, however, they request that the Court set a very short deadline by which ISI must obtain new counsel. They also request an order which states that failure to obtain new counsel by the date scheduled will result in the dismissal of this case.

Pursuant to Civil L.R. 7-1(b), the motion to withdraw was submitted without oral argument. Based on all papers filed to date, the Court grants the motion by White & Case to withdraw as counsel of record, subject to the condition that subsequent papers will continue to be served on counsel for forwarding purposes until new counsel appears in the case. See Civil L.R. 11-5(b) (providing that when withdrawal is not accompanied by a substitution of counsel, the Court may condition withdrawal on the order that counsel continue to be served with papers in the case for forwarding purposes until new counsel appears in the case).

1 ISI shall retain new counsel within thirty (30) days of this order and new counsel shall file a notice of  
2 appearance immediately upon being retained. ISI is advised that failure to retain new counsel or otherwise  
3 respond within thirty (30) days of the filing of this order may result in the imposition of sanctions or other  
4 appropriate measures. Any events scheduled to occur in this action within the next thirty (30) days are stayed  
5 pending the substitution of new counsel.

6  
7 Dated: September 13, 2005

/s/ Richard Seeborg  
RICHARD SEEBORG  
United States Magistrate Judge

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: 9/13/05**

**Richard W. Wieking, Clerk**

By: DM  
**Chambers**